



General Assembly

January Session, 2015

Governor's Bill No. 943

LCO No. 3971



Referred to Committee on EDUCATION

Introduced by:

SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.

REP. SHARKEY, 88th Dist.

REP. ARESIMOWICZ, 30th Dist.

AN ACT CONCERNING CHARTER SCHOOL MODERNIZATION AND REFORM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-66aa of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 As used in [sections 10-66aa to 10-66ff] this section and sections 10-
4 66bb to 10-66nn, inclusive, as amended by this act, and [sections 10-
5 66hh to 10-66kk, inclusive] sections 5 and 6 of this act:

6 (1) "Charter school" means a public, nonsectarian school which is
7 (A) established under a charter granted pursuant to section 10-66bb,
8 (B) organized as a nonprofit entity under state law, (C) a public agency
9 for purposes of the Freedom of Information Act, as defined in section
10 1-200, and (D) operated independently of any local or regional board
11 of education in accordance with the terms of its charter and the

12 provisions of [sections 10-66aa to 10-66ff] this section and sections 10-
13 66bb to 10-66nn, inclusive, as amended by this act, and sections 5 and 6
14 of this act, provided no member or employee of a governing council of
15 a charter school shall have a personal or financial interest in the assets,
16 real or personal, of the school;

17 (2) "Local charter school" means a public school or part of a public
18 school that is converted into a charter school and is approved by the
19 local or regional board of education of the school district in which it is
20 located and by the State Board of Education pursuant to subsection (e)
21 of section 10-66bb;

22 (3) "State charter school" means a new public school approved by
23 the State Board of Education pursuant to subsection (f) of section 10-
24 66bb;

25 (4) "Charter management organization" means any [entity] not-for-
26 profit organization that is exempt from taxation under Section 501(c)(3)
27 of the Internal Revenue Code of 1986, or any subsequent
28 corresponding internal revenue code of the United States, as from time
29 to time amended, that a charter school contracts with for educational
30 design, implementation or whole school management services; [and]

31 (5) "Whole school management services" means the financial,
32 business, operational and administrative functions for a school; [.]

33 (6) "Charter" means a contract between the governing council of a
34 charter school and the State Board of Education that sets forth the
35 roles, powers, responsibilities and performance expectations of each
36 party to the contract.

37 Sec. 2. Section 10-66bb of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective July 1, 2015*):

39 (a) On and after July 1, 1997, the State Board of Education may grant
40 charters for local and state charter schools in accordance with this

41 section. A charter granted under this section shall not be considered a
42 license, as defined in section 4-166, for purposes of chapter 54.

43 (b) Any person, association, corporation, [organization or other
44 entity] not-for-profit organization that is exempt from taxation under
45 Section 501(c)(3) of the Internal Revenue Code of 1986, or any
46 subsequent corresponding internal revenue code of the United States,
47 as from time to time amended, public or independent institution of
48 higher education, local or regional board of education or two or more
49 boards of education cooperatively, or regional educational service
50 center may apply to the Commissioner of Education, at such time and
51 in such manner as the commissioner prescribes, to establish a charter
52 school, provided no nonpublic elementary or secondary school may be
53 established as a charter school and no parent or group of parents
54 providing home instruction may establish a charter school for such
55 instruction.

56 (c) On and after July 1, 2012, the State Board of Education shall
57 review, annually, all applications and grant charters, in accordance
58 with subsections (e) and (f) of this section, for a local or state charter
59 school located in a town that has one or more schools that have been
60 designated as a commissioner's network school, pursuant to section 10-
61 223h, at the time of such application, or a town that has been
62 designated as a low achieving school district, pursuant to section 10-
63 223e, at the time of such application. (1) Except as provided for in
64 subdivision (2) of this subsection, no state charter school shall enroll
65 (A) (i) more than two hundred fifty students, or (ii) in the case of a
66 kindergarten to grade eight, inclusive, school, more than three
67 hundred students, or (B) twenty-five per cent of the enrollment of the
68 school district in which the state charter school is to be located,
69 whichever is less. (2) In the case of a state charter school found by the
70 State Board of Education to have a demonstrated record of
71 achievement, said board shall, upon application by such school to said
72 board, waive the provisions of subdivision (1) of this subsection for
73 such school. (3) The State Board of Education shall give preference to

74 applicants for charter schools (A) whose primary purpose is the
75 establishment of education programs designed to serve one or more of
76 the following student populations: (i) Students with a history of low
77 academic performance, (ii) students who receive free or reduced priced
78 lunches pursuant to federal law and regulations, (iii) students with a
79 history of behavioral and social difficulties, (iv) students identified as
80 requiring special education, (v) students who are English language
81 learners, or (vi) students of a single gender; (B) whose primary
82 purpose is to improve the academic performance of an existing school
83 that has consistently demonstrated substandard academic
84 performance, as determined by the Commissioner of Education; (C)
85 that will serve students who reside in a priority school district
86 pursuant to section 10-266p; (D) that will serve students who reside in
87 a district in which seventy-five per cent or more of the enrolled
88 students are members of racial or ethnic minorities; (E) that
89 demonstrate highly credible and specific strategies to attract, enroll
90 and retain students from among the populations described in
91 subparagraph (A)(i) to (A)(vi), inclusive, of this subdivision; or (F) that,
92 in the case of an applicant for a state charter school, such state charter
93 school will be located at a work-site or such applicant is an institution
94 of higher education. In determining whether to grant a charter, the
95 State Board of Education shall consider the effect of the proposed
96 charter school on the state's efforts to close the academic achievement
97 gaps, as defined in section 10-1600, the reduction of racial, ethnic and
98 economic isolation in the region in which it is to be located, the
99 regional distribution of charter schools in the state and the potential of
100 over-concentration of charter schools within a school district or in
101 contiguous school districts.

102 (d) Applications pursuant to this section shall include a description
103 of: (1) The mission, purpose and any specialized focus of the proposed
104 charter school; (2) the interest in the community for the establishment
105 of the charter school; (3) the school governance and procedures for the
106 establishment of a governing council that (A) includes (i) teachers and

107 parents and guardians of students enrolled in the school, and (ii) the
108 chairperson of the local or regional board of education of the town in
109 which the charter school is located and which has jurisdiction over a
110 school that resembles the approximate grade configuration of the
111 charter school, or the designee of such chairperson, provided such
112 designee is a member of the board of education or the superintendent
113 of schools for the school district, or the superintendent's designee, and
114 (B) is responsible for the oversight of charter school operations,
115 provided no member or employee of the governing council may have a
116 personal or financial interest in the assets, real or personal, of the
117 school; (4) the financial plan for operation of the school, provided no
118 application fees or other fees for attendance, except as provided in this
119 section, may be charged; (5) the educational program, instructional
120 methodology and services to be offered to students; (6) the number
121 and qualifications of teachers and administrators to be employed in the
122 school; (7) the organization of the school in terms of the ages or grades
123 to be taught and the total estimated enrollment of the school; (8) the
124 student admission criteria and procedures to (A) ensure effective
125 public information, (B) ensure open access on a space available basis,
126 including the enrollment of students during the school year if spaces
127 become available in the charter school, (C) promote a diverse student
128 body, and (D) ensure that the school complies with the provisions of
129 section 10-15c and that it does not discriminate on the basis of
130 disability, athletic performance or proficiency in the English language,
131 provided the school may limit enrollment to a particular grade level or
132 specialized educational focus and, if there is not space available for all
133 students seeking enrollment, the school may give preference to siblings
134 but shall otherwise determine enrollment by a lottery, except the State
135 Board of Education may waive the requirements for such enrollment
136 lottery pursuant to subsection (j) of this section; (9) a means to assess
137 student performance that includes participation in mastery
138 examinations, pursuant to section 10-14n; (10) procedures for teacher
139 evaluation and professional development for teachers and
140 administrators; (11) the provision of school facilities, pupil

141 transportation and student health and welfare services; (12)
142 procedures to encourage involvement by parents and guardians of
143 enrolled students in student learning, school activities and school
144 decision-making; (13) procedures to document efforts to increase the
145 racial and ethnic diversity of staff; (14) a five-year plan to sustain the
146 maintenance and operation of the school; [and] (15) a student
147 recruitment and retention plan that shall include, but not be limited to,
148 a clear description of a plan and the capacity of the school to attract,
149 enroll and retain students from among the populations described in
150 subparagraph (A)(i) to (A)(v), inclusive, of subdivision (3) of
151 subsection (c) of this section, (16) a plan to share student learning
152 practices and experiences with the local or regional board of education
153 of the town in which the proposed charter school is to be located, and
154 (17) in the case of an application in which the governing council of the
155 proposed charter school intends to contract with a charter
156 management organization for whole school management services: (A)
157 Evidence of the charter management organization's ability to (i) serve
158 student populations that are similar to the student population that will
159 be served by the proposed charter school, (ii) create strong academic
160 outcomes for students, and (iii) successfully manage nonacademic
161 school functions, (B) a term sheet that sets forth (i) the length of the
162 contract for whole school management services, (ii) the roles and
163 responsibilities of the governing council of the proposed charter
164 school, the staff of the proposed charter school, and the charter
165 management organization, (iii) the scope of services and resources to
166 be provided by the charter management organization, (iv) the
167 performance evaluation measures and timelines, (v) the compensation
168 structure, including a clear identification of all fees to be paid to the
169 charter management organization, (vi) the methods of contract
170 oversight and enforcement, and (vii) the conditions for renewal and
171 termination of the contract, and (C) evidence of compliance with the
172 provisions of section 6 of this act. Subject to the provisions of
173 subsection (b) of section 10-66dd, an application may include, or a
174 charter school may file, requests to waive provisions of the general

175 statutes and regulations not required by sections 10-66aa to [10-66ff]
176 10-66nn, inclusive, as amended by this act, and sections 5 and 6 of this
177 act, and which are within the jurisdiction of the State Board of
178 Education.

179 (e) An application for the establishment of a local charter school
180 shall be submitted to the local or regional board of education of the
181 school district in which the local charter school is to be located for
182 approval pursuant to this subsection. The local or regional board of
183 education shall: (1) Review the application; (2) hold a public hearing in
184 the school district on such application; (3) survey teachers and parents
185 in the school district to determine if there is sufficient interest in the
186 establishment and operation of the local charter school; and (4) vote on
187 a complete application not later than [sixty] seventy-five days after the
188 date of receipt of such application. Such board of education may
189 approve the application by a majority vote of the members of the
190 board present and voting at a regular or special meeting of the board
191 called for such purpose. If the application is approved, the board shall
192 forward the application to the State Board of Education. The State
193 Board of Education shall vote on the application not later than
194 [seventy-five] sixty days after the date of receipt of such application.
195 Subject to the provisions of subsection (c) of this section, the State
196 Board of Education may approve the application and grant the charter
197 for the local charter school or reject such application by a majority vote
198 of the members of the state board present and voting at a regular or
199 special meeting of the state board called for such purpose. The State
200 Board of Education may condition the opening of such school on the
201 school's meeting certain conditions determined by the Commissioner
202 of Education to be necessary and may authorize the commissioner to
203 release the charter when the commissioner determines such conditions
204 are met. The state board may grant the charter for the local charter
205 school for a period of time of up to five years and may allow the
206 applicant to delay its opening for a period of up to one school year in
207 order for the applicant to fully prepare to provide appropriate

208 instructional services. On and after July 1, 2015, any charter granted by
209 the state board to a local charter school shall include academic and
210 organizational performance goals, developed by the state board, that
211 set forth the performance indicators, measures and metrics that will be
212 used by the state board to evaluate the local charter school.

213 (f) (1) Except as otherwise provided in subdivision (2) of this
214 subsection, an application for the establishment of a state charter
215 school shall be (A) submitted to the State Board of Education for
216 approval in accordance with the provisions of this subsection, and (B)
217 filed with the local or regional board of education in the school district
218 in which the charter school is to be located. The state board shall: (i)
219 Review such application; (ii) hold a public hearing on such application
220 in the school district in which such state charter school is to be located;
221 (iii) solicit and review comments on the application from the local or
222 regional board of education for the school district in which such
223 charter school is to be located and from the local or regional boards of
224 education for school districts that are contiguous to the district in
225 which such school is to be located; and (iv) vote on a complete
226 application not later than ninety days after the date of receipt of such
227 application. The State Board of Education may approve an application
228 and grant the charter for the state charter school by a majority vote of
229 the members of the state board present and voting at a regular or
230 special meeting of the state board called for such purpose. The State
231 Board of Education may condition the opening of such school on the
232 school's meeting certain conditions determined by the Commissioner
233 of Education to be necessary and may authorize the commissioner to
234 release the charter when the commissioner determines such conditions
235 are met. Charters shall be granted for a period of time of up to five
236 years and may allow the applicant to delay its opening for a period of
237 up to one school year in order for the applicant to fully prepare to
238 provide appropriate instructional services. On and after July 1, 2015,
239 any charter granted by the state board to a state charter school shall
240 include academic and organizational performance goals, developed by

241 the state board, that set forth the performance indicators, measures
242 and metrics that will be used by the state board to evaluate the state
243 charter school.

244 (2) On and after July 1, 2012, and before July 1, [2017] 2015, the State
245 Board of Education shall not approve more than four applications for
246 the establishment of new state charter schools unless two of the four
247 such applications are for the establishment of two new state charter
248 schools whose mission, purpose and specialized focus is to provide
249 dual language programs or other models focusing on language
250 acquisition for English language learners. Approval of applications
251 under this subdivision shall be in accordance with the provisions of
252 this section.

253 (g) Charters may be renewed, upon application, in accordance with
254 the provisions of this section for the granting of such charters. Upon
255 application for such renewal, the State Board of Education may
256 commission an independent appraisal of the performance of the
257 charter school that includes, but is not limited to, an evaluation of the
258 school's compliance with the provisions of this section and, on and
259 after July 1, 2015, progress in meeting the academic and organizational
260 performance goals set forth in the charter granted to the charter school.
261 The State Board of Education shall consider the results of any such
262 appraisal in determining whether to renew such charter. The State
263 Board of Education may deny an application for the renewal of a
264 charter if (1) student progress has not been sufficiently demonstrated,
265 as determined by the commissioner, (2) the governing council has not
266 been sufficiently responsible for the operation of the school or has
267 misused or spent public funds in a manner that is detrimental to the
268 educational interests of the students attending the charter school, (3)
269 the school has not been in compliance with the terms of the charter
270 granted by the state board, applicable laws and regulations, [or] (4) the
271 efforts of the school have been insufficient to effectively attract, enroll
272 and retain students from among the following populations: (A)
273 Students with a history of low academic performance, (B) students

274 who receive free or reduced priced lunches pursuant to federal law
275 and regulations, (C) students with a history of behavioral and social
276 difficulties, (D) students identified as requiring special education, or
277 (E) students who are English language learners, or (5) the governing
278 council of the state or local charter school has not established
279 communications with the local or regional board of education of the
280 town in which the state or local charter school is located to share
281 student learning practices and experiences. If the State Board of
282 Education does not renew a charter, it shall notify the governing
283 council of the charter school of the reasons for such nonrenewal. On
284 and after July 1, 2015, any charter renewed by the State Board of
285 Education shall include academic and organizational performance
286 goals, developed by the state board, that set forth the performance
287 indicators, measures and metrics that will be used by the state board to
288 evaluate the charter school.

289 (h) The Commissioner of Education may at any time place a charter
290 school on probation if (1) the school has failed to (A) adequately
291 demonstrate student progress, as determined by the commissioner, (B)
292 comply with the terms of its charter or with applicable laws and
293 regulations, (C) achieve measurable progress in reducing racial, ethnic
294 and economic isolation, or (D) maintain its nonsectarian status, or (2)
295 the governing council has demonstrated an inability to provide
296 effective leadership to oversee the operation of the charter school or
297 has not ensured that public funds are expended prudently or in a
298 manner required by law. If a charter school is placed on probation, the
299 commissioner shall provide written notice to the charter school of the
300 reasons for such placement, not later than five days after the
301 placement, and shall require the charter school to file with the
302 Department of Education a corrective action plan acceptable to the
303 commissioner not later than thirty-five days from the date of such
304 placement. The charter school shall implement a corrective action plan
305 accepted by the commissioner not later than thirty days after the date
306 of such acceptance. The commissioner may impose any additional

307 terms of probation on the school that the commissioner deems
308 necessary to protect the educational or financial interests of the state.
309 The charter school shall comply with any such additional terms not
310 later than thirty days after the date of their imposition. The
311 commissioner shall determine the length of time of the probationary
312 period, which may be up to one year, provided the commissioner may
313 extend such period, for up to one additional year, if the commissioner
314 deems it necessary. In the event that the charter school does not file or
315 implement the corrective action plan within the required time period
316 or does not comply with any additional terms within the required time
317 period, the Commissioner of Education may withhold grant funds
318 from the school until the plan is fully implemented or the school
319 complies with the terms of probation, provided the commissioner may
320 extend the time period for such implementation and compliance for
321 good cause shown. Whenever a charter school is placed on probation,
322 the commissioner shall notify the parents or guardians of students
323 attending the school of the probationary status of the school and the
324 reasons for such status. During the term of probation, the
325 commissioner may require the school to file interim reports concerning
326 any matter the commissioner deems relevant to the probationary
327 status of the school, including financial reports or statements. No
328 charter school on probation may increase its student enrollment or
329 engage in the recruitment of new students without the consent of the
330 commissioner.

331 (i) The State Board of Education may revoke a charter if a charter
332 school has failed to: (1) Comply with the terms of probation, including
333 the failure to file or implement a corrective action plan; (2)
334 demonstrate satisfactory student progress, as determined by the
335 commissioner; (3) comply with the terms of its charter or applicable
336 laws and regulations; or (4) manage its public funds in a prudent or
337 legal manner. Unless an emergency exists, prior to revoking a charter,
338 the State Board of Education shall provide the governing council of the
339 charter school with a written notice of the reasons for the revocation,

340 including the identification of specific incidents of noncompliance with
341 the law, regulation or charter or other matters warranting revocation
342 of the charter. It shall also provide the governing council with the
343 opportunity to demonstrate compliance with all requirements for the
344 retention of its charter by providing the State Board of Education or a
345 subcommittee of the board, as determined by the State Board of
346 Education, with a written or oral presentation. Such presentation shall
347 include an opportunity for the governing council to present
348 documentary and testimonial evidence to refute the facts cited by the
349 State Board of Education for the proposed revocation or in justification
350 of its activities. Such opportunity shall not constitute a contested case
351 within the meaning of chapter 54. The State Board of Education shall
352 determine, not later than thirty days after the date of an oral
353 presentation or receipt of a written presentation, whether and when
354 the charter shall be revoked and notify the governing council of the
355 decision and the reasons therefor. A decision to revoke a charter shall
356 not constitute a final decision for purposes of chapter 54. In the event
357 an emergency exists in which the commissioner finds that there is
358 imminent harm to the students attending a charter school, the State
359 Board of Education may immediately revoke the charter of the school,
360 provided the notice concerning the reasons for the revocation is sent to
361 the governing council not later than ten days after the date of
362 revocation and the governing council is provided an opportunity to
363 make a presentation to the board not later than twenty days from the
364 date of such notice.

365 (j) (1) The governing council of a state or local charter school may
366 apply to the State Board of Education for a waiver of the requirements
367 of the enrollment lottery described in subdivision (8) of subsection (d)
368 of this section, provided such state or local charter school has as its
369 primary purpose the establishment of education programs designed to
370 serve one or more of the following populations: (A) Students with a
371 history of behavioral and social difficulties, (B) students identified as
372 requiring special education, (C) students who are English language

373 learners, or (D) students of a single gender.

374 (2) An enrollment lottery described in subdivision (8) of subsection
375 (d) of this section shall not be held for a local charter school that is
376 established at a school that is among the schools with a percentage
377 equal to or less than five per cent when all schools are ranked highest
378 to lowest in school performance index scores, as defined in section 10-
379 223e.

380 (k) On and after July 1, 2015, the State Board of Education shall,
381 within available appropriations, annually review all applications for
382 charter school enrollments and apportion available seats based upon
383 the schools' progress in meeting the academic and organizational
384 performance goals set forth in the charter granted by the state board.

385 Sec. 3. Section 10-66cc of the general statutes is repealed and the
386 following is substituted in lieu thereof (*Effective July 1, 2015*):

387 (a) The governing council of a charter school shall submit annually,
388 to the Commissioner of Education, a school profile as described in
389 subsection (c) of section 10-220.

390 (b) The governing council of each charter school shall submit
391 annually, to the Commissioner of Education, at such time and in such
392 manner as the commissioner prescribes, and, in the case of a local
393 charter school, to the local or regional board of education for the school
394 district in which the school is located, a report on the [condition of the
395 school] school's progress in meeting the academic and organizational
396 performance goals set forth in the charter granted by the state board,
397 including (1) the educational progress of students in the school, (2) the
398 financial condition of the school, including a certified audit statement
399 of all revenues from public and private sources and expenditures, (3)
400 accomplishment of the mission, purpose and any specialized focus of
401 the charter school, (4) the racial and ethnic composition of the student
402 body and efforts taken to increase the racial and ethnic diversity of the
403 student body, and (5) best practices employed by the school that

404 contribute significantly to the academic success of students.

405 Sec. 4. Section 10-66mm of the general statutes is repealed and the
406 following is substituted in lieu thereof (*Effective July 1, 2015*):

407 (a) On or before July 1, 2011, the State Board of Education shall
408 adopt regulations, in accordance with the provisions of chapter 54, to
409 (1) prohibit a charter school and any affiliated charter management
410 organization operating such charter school from sharing board
411 members with other charter schools and such charter management
412 organizations; (2) require the disclosure of sharing management
413 personnel; (3) prohibit unsecured, noninterest bearing transfers of state
414 and federal funds between charter schools and from charter schools to
415 charter management organizations; (4) define allowable direct or
416 indirect costs and the methodology to be used by charter management
417 organizations to calculate per pupil service fees; and (5) permit charter
418 management organizations to collect private donations for purposes of
419 distributing to charter schools.

420 (b) On or before July 1, 2016, the State Board of Education may
421 adopt regulations, in accordance with the provisions of chapter 54, to
422 (1) require state and national criminal history records checks, in
423 accordance with the provisions of section 29-17a, of members of the
424 governing council of a state or local charter school, state or local
425 charter school personnel, members of a charter management
426 organization, and any contractor doing business with a state or local
427 charter school if the nature of the contractor's work entails close
428 proximity to students; (2) require all members of a governing council
429 of a state or local charter school to complete training relating to charter
430 school governing council responsibilities and best practices at least
431 once during the term of the charter; and (3) require all governing
432 councils of state and local charter schools to adopt anti-nepotism and
433 conflict of interest policies consistent with state law and best practices
434 in nonprofit corporate governance.

435 Sec. 5. (NEW) (*Effective July 1, 2015*) (a) If a state or local charter
436 school plans to make a material change in its operations, the governing
437 council of such charter school shall submit, in writing, a request to
438 amend the school's charter to the State Board of Education. For
439 purposes of this section, "material change" means a change that
440 fundamentally alters a charter school's mission, organizational
441 structure or educational program, including, but not limited to, (1)
442 altering the educational model in a fundamental way, (2) opening an
443 additional school building, (3) contracting for or discontinuing a
444 contract for whole school management services with a charter
445 management organization, (4) renaming the charter school, (5)
446 changing the grade configurations of the charter school, or (6)
447 increasing or decreasing the total student enrollment capacity of the
448 charter school by twenty per cent or more.

449 (b) In determining whether to grant a request by a state or local
450 charter school to amend its charter, the State Board of Education shall
451 (1) review the written request of the charter school, (2) solicit and
452 review comments on the request from the local or regional board of
453 education of the town in which the charter school is located or in
454 which the proposed charter school is to be located, and (3) vote on the
455 request not later than sixty days after the date of receipt of such
456 request or as part of the charter renewal process. The state board may
457 approve the material change by a majority vote of the members of the
458 state board present and voting at a regular or special meeting of the
459 state board called for such purpose or for the purpose of considering
460 whether to renew the charter of the charter school, pursuant to
461 subsection (g) of section 10-66bb of the general statutes.

462 Sec. 6. (NEW) (*Effective July 1, 2015*) (a) The governing council of a
463 state or local charter school may only enter into a contract for whole
464 school management services with a charter management organization.

465 (b) The governing council of a state or local charter school shall not
466 enter into any contract for whole school management services that is

467 contrary to state or federal law or regulations, which entails any
468 financial or other conflicts of interest, or which amends, alters or
469 modifies any provision of the charter granted by the State Board of
470 Education to the school. To the extent that there is a conflict between
471 the terms of the charter of the school and a contract for whole school
472 management services, the terms of the charter shall govern.

473 (c) The governing council of a state or local charter school shall
474 submit any contract for whole school management services between
475 such governing council and charter management organization to the
476 State Board of Education for approval. The state board, in determining
477 whether to approve such contract, shall (1) review such contract, (2)
478 solicit and review comments on such contract from the local or
479 regional board of education of the town in which the charter school is
480 located or in which the proposed charter school is to be located, and (3)
481 vote on such contract not later than sixty days after the date of receipt
482 of such contract. The state board may approve such contract by a
483 majority vote of the members of the state board present and voting at a
484 regular or special meeting of the state board called for such purpose.
485 Any contract for whole school management services between the
486 governing council of a state or local charter school and a charter
487 management organization shall not take effect unless such contract has
488 been approved by the State Board of Education.

489 (d) The governing council of a state or local charter school shall not
490 enter into any contract for whole school management services that
491 would have the effect of reducing the governing council's
492 responsibility for the operation of the charter school, or which would
493 hinder the governing council in exercising effective supervision of the
494 charter school.

495 (e) Any governing council of a state or local charter school that
496 enters into a contract for whole school management services shall
497 directly select, retain and compensate the attorney, accountant or audit
498 firm representing the governing council.

499 (f) A contract for whole school management services shall include,
500 but not be limited to: (1) The roles and responsibilities of the governing
501 council of the charter school and the charter management
502 organization, including all services to be provided under the contract,
503 (2) the performance measures, mechanisms and consequences by
504 which the governing council will hold the charter management
505 organization accountable for performance, (3) the compensation to be
506 paid to the charter management organization, including all fees,
507 bonuses and what such compensation includes or requires, (4)
508 financial reporting requirements and provisions for the governing
509 council's financial oversight, (5) a choice of law provision that states
510 that Connecticut state law shall be the controlling law for the contract,
511 and (6) any such information required by the Commissioner of
512 Education to ensure compliance with the provisions of chapter 164 of
513 the general statutes.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2015</i>	10-66aa
Sec. 2	<i>July 1, 2015</i>	10-66bb
Sec. 3	<i>July 1, 2015</i>	10-66cc
Sec. 4	<i>July 1, 2015</i>	10-66mm
Sec. 5	<i>July 1, 2015</i>	New section
Sec. 6	<i>July 1, 2015</i>	New section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]